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Attorneys for Defendant TRAVELERS  
PROPERTY CASUALTY COMPANY OF  
AMERICA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MONTEVINA PHASE 1 LLC, and  
MONTEVINA PHASE 1 OWNERS  
ASSOCIATION LLC,

Case No. CV 11 01354 LB

Plaintiffs,

**STIPULATION AND ORDER  
OF DISMISSAL**

vs.

TRAVELERS PROPERTY  
CASUALTY COMPANY OF  
AMERICA and DOES 1 through 50,  
inclusive,

Complaint filed: February 9, 2011  
Trial Date: None Set

Defendants.

1. WHEREAS, Plaintiffs Montevina Phase I LLC and Montevina Phase I  
Owners Association LLC have agreed to dismiss this action in its entirety, with  
prejudice, under Federal Rules of Civil Procedure, Rule 41(a)(1); and

2. WHEREAS, the parties to this action have executed a Confidential  
Settlement Agreement and Mutual Release In Full; and

3. WHEREAS, the parties to this action agree that each side is to bear its  
own costs in this action;

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The parties to this action stipulate, through their respective attorneys of record, that Plaintiffs Montevina Phase I LLC and Montevina Phase I Owners Association LLC hereby dismiss this action in its entirety, with prejudice, each side bearing its own costs.

DATED: July 21, 2011

RALLS & NIECE LLP

By: 

John W. Ralls  
Attorneys for Plaintiffs Montevina Phase I LLC and Montevina Phase I Owners Association LLC

DATED: July 28, 2011

FORAN GLENNON PALANDECH PONZI & RUDLOFF PC

By: 

Marjorie D. Barrows  
Attorneys for Travelers Property Casualty Company of America

### ORDER

The Court has considered the above stipulation and, IT IS SO ORDERED.

DATED: August 19, 2011

Laurel E. Heller, Magistrate Judge of the  
U.S. District Court for the Northern  
District of California

